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Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

Budget for the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 for the biennium 2002-2003*

Report of the Secretary-General**

Summary

The present report contains the resource requirements for the biennium 2002-2003 for the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994.

* The annexes to the present report are contained in A/56/497/Add.1.

** The delayed submission of the present report is attributable to the extensive consultations that had to be carried out between Headquarters and the Tribunal prior to the finalization of the budget proposals as well as technical challenges related to the change in financial periods and the application of regular budget costing methodology to the budget of the Tribunal.

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Court sessions capacity is to be more than doubled so as to fully support the programme of work of the Court.

The resources requested for the period 1 January 2002 to 31 December 2003 amount to $204,407,900 gross ($186,998,500 net) before recosting, and reflect an increase of $24,278,200 gross ($22,025,100 net) or 13.4 per cent over the 2000-2001 appropriation, including 101 additional new posts.

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I. Introduction

1. The International Criminal Tribunal for Rwanda was established by the Security Council in its resolution 955 (1994) of 8 November 1994, with the power, according to articles 2, 3, and 4 of its statute, to prosecute persons responsible for genocide and other serious violations of international humanitarian law committed in the territory of Rwanda and Rwandan citizens responsible for genocide and other violations of international humanitarian law committed in the territory of neighbouring States, between 1 January and 31 December 1994. In accordance with article 10 of its statute, the Tribunal consists of three organs, namely, the Chambers, the Prosecution and the Registry.

2. On 23 December 1999, the General Assembly adopted resolution 54/240 A and decided to appropriate to the Special Account for the International Criminal Tribunal for Rwanda the amount of US$ 86,154,900 gross ($78,170,200 net) for 2000.

3. On 23 December 2000, the General Assembly, by its resolution 55/226, appropriated to the Special Account for the International Criminal Tribunal for Rwanda the amount of $93,974,800 gross ($85,607,600 net) for 2001. By the same resolution, the General Assembly decided to biennialize the Tribunal budget, on an experimental basis, for the period 2002-2003. Accordingly, the form of presentation of resource tables and the costing methodology used in the document follows that currently applied to the regular budget.

4. The Tribunal's priorities during the biennium 2002-2003 will be the efficient and effective conduct of trials and related legal and judicial support processes and the enhanced efficiency of administrative support services. The proposed resource increase is to support a planned increase in court session capacity of over 100 per cent in order to fulfil the programme of work of the Court.

5. A number of important developments have taken place in the work of the Tribunal in 2001, particularly in the judicial area, where the results of several changes in the Rules of Procedure and Evidence in the past two years, stricter judicial controls on motions and a generally more vigorous approach by the judges to the judicial caseloads have begun to yield desired results. As of 30 June 2001, the Appeals Chamber rendered final judgements on the appeals of three convicted persons, bringing the total number of cases disposed on appeal to five. On 7 June 2001, Trial Chamber I rendered its judgement in *The Prosecutor v Ignace Bagilishema* case, in which the accused person was acquitted. The acquittal, the first by the Tribunal, was the ninth judgement of the Tribunal's Trial Chambers.

6. The implementation of a "twin-tracking" approach, whereby each of the three Trial Chambers adjudicates two trials at any one time, has resulted in a total of 15 accused persons being on trial in five cases, as of 30 June 2001. In one of these cases, the "*Butare*" case, six accused persons are defendants, including the first woman to be indicted by an international criminal tribunal and the first to go on trial at the International Criminal Tribunal for Rwanda. The *Butare* case is also the biggest trial so far at the Tribunal in terms of the number of accused persons joined in one trial. Another trial of two accused persons was scheduled to open in September 2001, bringing the total number of persons on trial at the Tribunal in 2001 to 17. Several other trials are expected to commence during the period 2002-2003. This active pace of judicial work is an indication that the Tribunal is

discharging its mandate as effectively as possible. Further progress in disposing of the Tribunal's caseload will require the use of ad litem judges, which will be the subject of a separate request from the Tribunal to the Security Council and the General Assembly.

7. As at mid-July 2001, a total of seven accused persons and suspects had been arrested in 2001. These included the arrest of Samuel Musabyimana, a former Bishop of the Anglican Church in Rwanda in Nairobi, Simeon Nshamihigo, a defence investigator for one of the accused persons at the Tribunal, and two former Rwandan mayors, Sylvestre Gacumbitsi and Jean Mpambara, who were arrested in the United Republic of Tanzania. Other arrests included those of Emmanuel Ndindabahizi, former Minister of Finance in the interim Government of Rwanda, in Belgium, Emmanuel Rukundo, a priest and former military chaplain, in Switzerland, and Simon Bikindi, a popular musician and former official of the Ministry of Youth and Sports, in the Netherlands.

8. Pursuant to Security Council resolution 1329 (2000) of 5 December 2000, two new judges were elected to the Trial Chamber of the International Criminal Tribunal for Rwanda by the General Assembly on 24 April 2001. As required by the aforementioned resolution, the President of the Tribunal assigned two other judges of the Tribunal, Judge Asoka de Z. Gunawardana (Sri Lanka) and Judge Mehmet Guney (Turkey) to be members of the Appeals Chamber of the International Tribunals for Rwanda and the Former Yugoslavia.

9. Meanwhile, in an unfortunate development, the first President of the International Criminal Tribunal and Presiding Judge of its Trial Chamber II, Judge Laity Kama (Senegal) passed away on 6 May 2001 in Nairobi as a result of illness. On 31 May 2001, the Secretary-General appointed Judge Andresia Vaz, President of the Court of Cassation of Senegal, the country's highest court, as a judge of the Tribunal to succeed the late Judge Kama.

10. In accordance with the recommendations of the Advisory Committee on Administrative and Budgetary Questions (A/55/643, para. 28), the International Criminal Tribunal has received a report from a consultant on the costs associated with videoconferencing between the Arusha and Kigali offices of the Tribunal, and between the Tribunal and the International Tribunal for the Former Yugoslavia. The related cost, estimated at $1,000,000 for the installation of necessary equipment in the three locations, is to be shared between the two Tribunals.

11. The enforcement of sentences is a major challenge for the Tribunal. It will be recalled that the General Assembly appropriated to the Tribunal the sum of $250,000 to cover costs relating to the enforcement of sentences. In its report (A/55/643, para. 63), the Advisory Committee on Administrative and Budgetary Questions concluded that the enforcement of sentences was an important emerging subject that was being handled in an ad hoc manner without a carefully thought-out plan of action and that, in the view of the Advisory Committee, the Tribunal should think ahead. The Advisory Committee also noted that it was essential to have a proper perspective of the long-term financial obligations of the United Nations after the expiry of the mandate of the Tribunal.

12. Pursuant to the request of the General Assembly in paragraph 9 of its resolution A/55/226, the Secretary-General will submit a separate report on the

long-term financial obligations of the United Nations with regard to the enforcement of sentences.

13. Provision has been included for the maintenance of prisoners serving sentences imposed by the Tribunal. It is pertinent to note that the activities of the Tribunal related to the enforcement of sentences are limited to meeting the maintenance requirements of prisoners, including the cost of meals and medical expenses.

14. The Tribunal has continued to review issues relating to the defence of accused persons brought before it. Indications that there may be abuses of the Tribunal's legal aid regime led to investigations by the Office of Internal Oversight Services, which issued its findings in a report to the General Assembly (A/55/759). While the Office found credible information about possible ongoing fee-splitting arrangements, there was insufficient evidence to pursue any disciplinary action.

15. Having given due consideration to the findings and recommendations contained in the report of the Office of Internal Oversight Services, the Registry of the Tribunal has adopted a series of measures to prevent abuses of the legal aid system and to protect the integrity of the Tribunal's judicial process. These measures include:

(a) Restrictions on the giving of gifts by defence teams to their clients;

(b) Strict personal searches of persons visiting or meeting with detainees in the United Nations Detention Facilities, in accordance with rule 61 of the Tribunal's Rules of Detention;

(c) Restrictions preventing members of defence teams from meeting with accused persons other than their own clients while visiting the Detention Facilities;

(d) Personal history forms to be filled by individuals hired by defence counsel as defence investigators, requiring more detailed information about the backgrounds of such individuals to ensure, inter alia, that they are not related to accused persons detained by the Tribunal;

(e) Enhanced screening of potential and serving defence investigators to ensure that no members of defence teams obtain positions by false pretences as to identity or have engaged in activity incompatible with the purposes of the Tribunal;

(f) The establishment by the Registrar of an internal panel to further review the legal aid system;

(g) In order to strengthen the Tribunal's capacity to investigate claims of indigence by accused persons detained by the Tribunal, a request for a post of an Investigator with financial and asset-tracing experience is included in this budget request.

16. A management review of the Tribunal by the Department of Management was undertaken, at the request of the Registrar, from 22 May to 2 June 2001. The purpose of the review was to assist the Tribunal in assessing the functionality of its present organizational structure and the allocation of its staff resources, so as to enable it make recommendations thereon to the Registrar. Several of the recommendations of the management review team are reflected in the present budget proposal.

17. The management of the Tribunal, pursuant to paragraph 18 of the report of the Advisory Committee on Administrative and Budgetary Questions (A/55/643), instituted two-year contracts for staff members of the Tribunal effective 1 January 2001. This practice has had a minimal effect on the retention of staff, although there has been a slight reduction of the overall vacancy rate to 16.7 per cent as of 30 June 2001. Efforts are continuing to further reduce the vacancy rates.

18. This measure has also resulted in enhancing the efficiency of human resources management, which had been processing the excessive amount of paperwork necessary for the personnel administration of all the staff of the Tribunal on one-year contracts. The institution of two-year contracts has ensured more effective planning of the Tribunal's work in both judicial and administrative areas.

19. The present report details the requirements of the Tribunal for the biennium 2002-2003 to enable it to fulfil its mandate adequately. The overall level of resources proposed for the biennium amounts to $204,407,900 gross ($186,998,500 net), and reflects a real increase before recosting of $24,278,200 gross ($23,025,100 net) or 13.4 per cent over the 2000-2001 appropriations. The increase is mainly attributable to increased court activities including pre-trial and trial preparations, concurrent prosecution in the three Trial Chambers, judicial decisions and appeals. The level of post requirements reflects the continuation of 872 posts and the addition of 101 new posts. Additionally, provisions are requested for other objects of expenditure in order that the Tribunal may carry out, inter alia, the increased pace of activities envisaged over this period in the areas of investigations, travel, defence counsel fees, audio-visual equipment, supplies and materials and purchase of other equipment. The recosting of provisions to 2002-2003 rates also requires a net reduction of provisions by $7,983,200. This reflects the impact of provision for inflation of $26,690,500, which is more than offset by the combined impact of reductions due to (a) exchange rate ($29,621,900), (b) salary standard cost changes ($2,952,700) and (c) increased income from staff assessment ($2,099,100).

20. The estimated percentage distribution of the total resources of the Tribunal in 2002-2003 is as follows:

Table 1
Percentage distribution of resources by components

	Assessed budget	*Extrabudgetary*
	(Percentage)	
The Chambers	2.2	-
The Office of the Prosecutor	24.4	10.6
The Registry	73.4	89.4
Total	**100.0**	**100.0**

Table 2
Summary of requirements
(Thousands of United States dollars)

(1) Assessed budget

Component	*1998-1999 expenditures*	*2000-2001 appropri-ations*	*Resource growth*		*Total before recosting*	*Recosting*	*2002-2003 estimates*
			Amount	*Percentage*			
The Chambers	3 561.1	3 888.5	642.9	16.5	4 531.4	(45.3)	4 486.1
The Office of the Prosecutor	33 022.1	46 638.6	3 185.4	6.8	49 824.0	739.0	50 563.0
The Registry	88 038.3	129 602.6	20 449.9	15.7	150 052.5	(6 577.8)	143 474.7
Total (gross)	**124 621.5**	**180 129.7**	**24 278.2**	**13.4**	**204 407.9**	**(5 884.1)**	**198 523.8**
Income section (Staff assessment)	10 034.9	16 156.3	1 253.1	7.7	17 409.4	2 099.1	19 508.5
Total (net)	**114 586.6**	**163 973.4**	**23 025.1**	**14.0**	**186 998.5**	**(7 983.2)**	**179 015.3**

(2) Extrabudgetary resources

	1998-1999 expenditures	*2000-2001 estimates*	*2002-2003 estimates*
Substantive activities	3 465.9	939.0	3 079.9
Total (net)	**3 465.9**	**939.9**	**3 079.9**
Total (1) and (2) (net)	**118 052.5**	**164 912.4**	**183 095.2**

Table 3

Summary of requirements by object of expenditure

(Thousands of United States dollars)

(1) Assessed budget

Object of expenditure	*1998-1999 expenditures*	*2000-2001 appropri-ations*	*Resource growth*		*Total before recosting*	*Recosting*	*2002-2003 estimates*
			Amount	*Percentage*			
Posts	77 856.1	115 339.9	8 857.5	7.6	124 197.4	(2 097.4)	122 100.0
Other staff costs	4 201.1	4 902.5	(283.1)	(5.7)	4 619.4	(539.4)	4 080.0
Salaries and allowances of judges	2 657.4	3 654.4	386.6	10.5	4 041.0	(51.1)	3 989.9
Consultants and experts	526.0	843.5	142.5	16.8	986.0	(111.3)	874.7
Travel of representatives	133.9	234.1	157.9	67.4	392.0	21.4	413.4
Travel of staff	3 693.7	3 014.1	2 535.9	84.1	5 550.0	303.8	5 853.8
Contractual services	8 578.8	13 729.3	6 806.1	49.5	20 535.4	(2 397.7)	18 137.7
General operating expenses	7 216.0	11 673.7	3 500.9	29.9	15 174.6	(1 765.3)	13 409.3
Hospitality	19.5	8.0	-	-	8.0	(0.9)	7.1
Supplies and materials	2 810.8	2 930.9	882.1	30.0	3 813.0	(445.1)	3 367.9
Furniture and equipment	5 844.5	5 305.6	621.9	11.7	5 927.5	(692.1)	5 235.4
Improvement of premises	856.3	1 981.4	(1 331.4)	(67.1)	650.0	(75.9)	574.1
Grants and contributions	192.5	356.0	748.2	210.1	1 104.2	(132.2)	972.0
Staff assessment	10 034.9	16 156.3	1 253.1	7.7	17 409.4	2 099.1	19 508.5
Total (gross)	**124 621.5**	**180 129.7**	**24 278.2**	**13.4**	**204 407.9**	**(5 884.1)**	**198 523.8**
Staff assessment	10 034.9	16 156.3	1 253.1	7.7	17 409.4	2 099.1	19 508.5
Total (net)	**114 586.6**	**163 973.4**	**23 025.1**	**14.0**	**186 998.5**	**(7 983.2)**	**179 015.3**

(2) Extrabudgetary resources

	1998-1999 expenditures	*2000-2001 estimates*	*2002-2003 estimates*
Expenditure			
Posts	910.9	-	-
Other staff costs	3.0	74.5	841.5
Consultant and experts	18.4	106.5	348.5
Travel	118.6	120.5	373.9
Contractual services	224.9	425.7	867.5
General operating expenses	2 100.2	22.1	-
Supplies and materials	-	2.5	42.1
Furniture and equipment	75.9	167.2	252.1
Improvement of premises	-	-	-
Grants and contributions	-	-	-
Other expenditures	14.0	20.0	354.3
Total (net)	**3 465.9**	**939.0**	**3 079.9**
Total (1) and (2) (net)	**118 052.5**	**164 912.4**	**182 095.2**

Table 4
Post requirements

	Temporary posts					
	Regular budget		*Extrabudgetary*		*Total*	
Category	*2000-2001*	*2002-2003*	*2000-2001*	*2002-2003*	*2000-2001*	*2002-2003*
Professional category and above						
ASG	1	1			1	1
D-2	1	1			1	1
D-1	4	4			4	4
P-5	26	30			26	30
P-4/2	216	223			216	223
P-2/1	101	110			101	110
Subtotal	**349**	**369**	-	-	**349**	**369**
General Service						
Principal level	6	7			6	7
Other level	159	177			159	177
Subtotal	**165**	**184**			**165**	**184**
Other categories						
Security services	82	87			82	87
Local level	252	309			252	309
Field service	24	24			24	24
Subtotal	**358**	**420**			**358**	**420**
Total	**872**	**973**	-	-	**872**	**973**

II. Programme of work and resource requirements

A. The Chambers

Table 5
Summary of requirements by object of expenditure
(Thousands of United States dollars)

Assessed budget

Object of expenditure	*1998-1999 expenditures*	*2000-2001 appropri-ations*	*Resource growth*		*Total before recosting*	*Recosting*	*2002-2003 estimates*
			Amount	*Percentage*			
Posts	677.4	-	-	-	-	-	-
Non-staff compensation	2 657.4	3 654.4	485.0	10.5	4 139.4	(66.7)	4 072.7
Travel of representatives	133.9	234.1	157.9	67.4	392.0	21.4	413.4
Staff assessment	92.4	-	-	-	-	-	-
Total (gross)	**3 561.1**	**3 888.5**	**642.9**	**16.5**	**4 531.4**	**(45.3)**	**4 486.1**
Staff assessment	92.4	-	-	-	-	-	-
Total (net)	**3 468.7**	**3 888.5**	**642.9**	**16.5**	**4 531.4**	**(45.3)**	**4 486.1**

21. The Trial Chambers of the International Criminal Tribunal for Rwanda comprise nine trial judges in Arusha. The Appeals Chamber consists of seven appeals judges in The Hague with two of the seven judges coming from the International Criminal Tribunal for Rwanda. The Chambers Support Section assists the Trial and Appeals Chambers in their core functions of trying cases and writing decisions and judgements. The Section renders direct assistance for the immediate needs of the judges of the Trial and Appeals Chambers in the conduct of trials, the assessment of evidence, research on the applicable law and the preparation of decisions, orders and judgements.

22. The Section consists of a team of lawyers who are conversant with the latest national and international law and is headed by two Senior Legal Officers. One of the Senior Legal Officers acts as Chief of Section in dealings with the other organs of the Tribunal.

23. The integrity of the translations of judicial decisions, orders, judgements and Rules is guaranteed by the Section's Jurist-Linguist.

24. The work of each Trial Chamber is coordinated by a Trial Chamber Coordinator who supervises a team of three Associate Legal Officers. The Trial Chamber Coordinator coordinates the work of the Associate Legal Officers. Each Associate Legal Officer is assigned to and assists a judge by researching issues of law, preparing drafts of decisions, orders and judgements, under the supervision of the judge, and advising the judge on all matters relating to the conduct of proceedings.

25. With the increase in workload of the Trial Chambers in 2001, principally due to the joint trials of several defendants and the twin-tracking of cases in each Chamber, the Section has been allocated two posts for Judgement Coordinators who

oversee and expedite the judgement-writing process. Judgement writing is a continuous process that starts at the beginning of a trial and involves the processing of evidence and the preparation of papers relevant to judgement issues.

1. Activities

26. During the biennium 2002-2003, the following activities will be undertaken:

(a) Trial Chambers: pre-trial and trial preparations, draft decisions, opinions and judgements;

(b) Appeals Chamber: interlocutory appeals, appeals of judgements and sentences and plenary meetings;

(c) Other judicial activities: prompt provision of advice, papers and drafts to judges, continuing legal training and prompt responses to all requests;

(d) Report of the President of the Tribunal to the Security Council and the General Assembly, special reports to the Security Council, as necessary;

(e) Adoption or approval of rules, directives and records of the Tribunal:

(i) Rules of Procedure and Evidence;

(ii) Directive on assignment of defence counsel;

(iii) Code of professional conduct for defence lawyers appearing before the Tribunal;

(iv) Rules of detention;

(v) Basic documents;

(vi) Yearbook;

(vii) Publication of opinions, decisions and judgements of trial proceedings: the Trial Chambers are responsible for supervising the legal research and the preparation of legal documents for issuance in the working languages of the Tribunal.

2. Resource requirements (before recosting): $4,531,400

Salaries and allowances of judges

27. The provision of $4,139,400 will cover the annual salary for nine Trial Judges and two Appeals Judges ($3,520,000); a special allowance for the President of the Tribunal ($30,000), and a special allowance for the Vice-President for each day that he acts as President (a maximum of $18,800). Common costs of judges amounting to $570,600 will cover the pensions of three retired judges ($150,500), education grants ($170,200), home leave/education grant travels as appropriate ($86,700) and provision for the installation/repatriation of three judges over the period of the biennium ($163,200). The provisions for the salaries and allowances of Judges have been calculated on the basis of the terms and conditions of services established by the General Assembly in its resolution 53/214. The next comprehensive review of the entitlements, pensions and other conditions of service of the judges is to be undertaken at the fifty-sixth session of the Assembly. Estimates may need to be adjusted in light of decisions taken at that time.

Travel

28. Resources in the amount of $392,000, reflecting an increase of $157,900, will provide for the travel of: the members of the Appeals Chamber to Arusha three times a year to hear cases; one judge to Arusha to hear a trial in progress; the President and one staff member to New York for consultations with the Secretary-General and to present her annual report to the General Assembly and the Security Council ($54,500); the President and the other eight judges to Kigali ($16,900); five members of the Appeals Chamber and four legal officers to Arusha three times per year to hear cases and/or attend plenary sessions ($203,400); two members of the Appeals Chamber to attend plenary sessions only at Arusha ($40,800); judges for a meeting with the International Tribunal for the Former Yugoslavia and Appeals Judges to assess the effectiveness of the implementation of the recommendations made by the Expert Group ($25,200); and an Appeals Judge and a Legal Officer to Arusha three times in 2002 to complete an ongoing trial ($51,200).

B. Office of the Prosecutor

Table 6
Summary of requirements by object of expenditure
(Thousands of United States dollars)

(1) Assessed budget

Object of expenditure	*1998-1999 expenditures*	*2000-2001 appropriations*	*Resource growth*		*Total before recosting*	*Recosting*	*2002-2003 estimates*
			Amount	*Percentage*			
Posts	27 132.6	38 214.8	1 251.4	3.2	39 466.2	(208.5)	39 257.7
Consultants and experts	166.6	388.9	136.9	35.2	525.8	(57.6)	468.2
Travel of staff	2 236.3	1 827.4	1 482.6	81.1	3 310.0	181.2	3 491.2
General operating expenses	41.5	776.0	124.0	15.9	900.0	(98.5)	801.5
Staff assessment	3 445.1	5 431.5	190.5	3.5	5 622.0	922.4	6 544.4
Total (gross)	**33 022.1**	**46 638.6**	**3 185.4**	**6.8**	**49 824.0**	**739.0**	**50 563.0**
Staff assessment	3 445.1	5 431.5	190.5	3.5	5 622.0	922.4	6 544.4
Total (net)	**29 577.0**	**41 207.1**	**2 994.9**	**7.3**	**44 202.0**	**(183.4)**	**44 018.6**

(2) Extrabudgetary resources

	1998-1999 expenditures	*2000-2001 estimates*	*2002-2003 estimates*
Expenditure			
Posts	618.4	-	-
Other staff costs	-	30.0	73.7
Consultants and experts	-	40.0	-
Travel	-	67.8	99.9
Contractual services	-	90.0	-
General operating expenses	-	22.1	-
Supplies and materials	-	2.5	-
Furniture and equipment	-	94.5	139.7
Other expenditures	-	-	40.7
Total (net)	**618.4**	**346.9**	**354.0**
Total (1) and (2) (net)	**30 195.4**	**41 554.0**	**44 372.6**

Table 7
Post requirements

	Temporary posts					
	Regular budget		*Extrabudgetary*		*Total*	
Category	*2000-2001*	*2002-2003*	*2000-2001*	*2002-2003*	*2000-2001*	*2002-2003*
Professional category and above						
D-2	1	1	-	-	1	1
D-1	2	2	-	-	2	2
P-5	15	16	-	-	15	16
P-4/3	103	102	-	-	103	102
P-2/1	50	50	-	-	50	50
Subtotal	**171**	**171**	**-**	**-**	**171**	**171**
General Service						
Other level	38	38	-	-	38	38
Subtotal	**38**	**38**	**-**	**-**	**38**	**38**
Other categories						
Local level	1	7	-	-	1	7
Subtotal	**1**	**7**	**-**	**-**	**1**	**7**
Total	**210**	**216**	**-**	**-**	**210**	**216**

29. The Office of the Prosecutor is responsible for investigating and prosecuting persons for serious violations of international humanitarian law under articles 2, 3 and 4 of the Tribunal's statute. The Prosecutor is responsible for setting the policy of the Office and for the overall executive direction of its work. The Prosecutor is based in The Hague and the Deputy Prosecutor and the staff of the Office are based in Kigali (Rwanda) and Arusha (United Republic of Tanzania). The Deputy Prosecutor exercises the powers of the Prosecutor in her absence and is responsible for the management of the activities of the Office, the implementation of policy and strategy as directed by the Prosecutor and the maintenance of relations with the host Government. The Deputy Prosecutor is also responsible for obtaining the support and assistance of States, particularly in Africa, in the conduct of the work of the Office.

30. The Office of the Prosecutor is structured to reflect the two main statutory functions of the Prosecutor, namely the investigation of crimes within the Tribunal's jurisdiction and the prosecution of cases before the Chambers.

31. The Prosecution Division is managed by the Chief of Prosecutions and comprises the Trial Section, based at the seat of the Tribunal in Arusha, and the Legal Advisory Group. The latter is in turn divided into two units: the Investigations Legal Advisory Unit in Kigali headed by a Senior Legal Adviser, which supports the work of investigations teams; and the Prosecutions Legal Advisory Unit in Arusha, which assists the nine Senior Trial Attorneys in the preparation and presentation of cases before the Chambers. In addition, the Prosecution Division has a dedicated Appeals Unit headed by a Senior Appeals Counsel, which not only responds to defence appeals against conviction and sentence, but also seeks to ensure a consistent approach to the development of international humanitarian law both at the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia.

32. The Investigations Division is based in Kigali and is headed by the Chief of Investigations. The Investigations Division is empowered to interrogate suspects, to interview witnesses and victims, to take the statements of witnesses and to gather evidence against presumed perpetrators of crimes falling under the jurisdiction of the International Criminal Tribunal for Rwanda. The Division comprises four units, each headed by a Commander. The Investigations Units are assigned duties by category: Government and Political Parties Unit; the Armed Unit; the Media; Clergy; Intelligentsia and Businessmen Unit; Special Investigations; and Tracking and Support Unit. Each Unit is divided into investigation teams under a team leader. The Tracking and Special Investigations Teams fall directly under the Director of Investigations because of the nature of their duties. The Witness Management Team is responsible for the management and the protection of prosecution witnesses at the investigation and pre-trial stages.

33. The two principal divisions of the Office of the Prosecutor are assisted by the Evidence and Information Support Unit, which is responsible for discharging the Prosecutor's responsibility under the Tribunal's Rules for the storage and security of evidence obtained in the course of investigations and produced in the course of trials. The duties of the unit are: (a) to receive evidence in a manner that that can be sustained and proven in court; (b) to analyse the evidence in light of the latest forensic developments; and (c) to prepare evidence in a form that is provable in court. The unit also develops and implements systems and procedures for receiving,

handling and recording the chain-of-custody of pieces of physical evidence and documents, including video and audio recordings.

34. During the biennium 2002-2003, the Office of the Prosecutor will continue to investigate the most serious crimes within the jurisdiction of the Tribunal, to bring indictments against the most senior or notorious individuals against whom charges can be supported by evidence and to prosecute such persons diligently and to the highest international standards.

35. The Investigations Division will continue to focus its investigative resources on 30 selected targets per year. Ten other targets considered to be important could be added as the need arises. Individual suspects have already been identified and the Prosecutor's programme of presenting new indictments in each year of the biennium 2002-2003 is unaltered, with a view to completing all outstanding new investigations by the end of 2004 and presenting the last indictments for confirmation in the course of 2005.

36. The Tribunal's mandate is not expected to change during the biennium, but significantly increased demands will undoubtedly be placed on the Office of the Prosecutor by the challenge of conducting at least six trials simultaneously, with a further six cases in the active pre-trial preparation stage.

37. There has been a notable influx of suspects and accused persons to Western Europe, which will require an increase in the number of tracking operations to that region and the intensification of relations with the relevant Governments. On the other hand, it has been noted that the East Africa region is a transit point, making the tracking of suspects within that area more difficult than before.

38. The presence of suspects and militias have greatly increased in the Central African region, where there are ongoing wars and internal conflicts. This has made it difficult to track and arrest accused persons and suspects who operate in these areas or to secure the rapid cooperation of the States of that region. This factor could impact on the number of new arrests during the biennium.

39. The biennium 2002-2003 is also the period during which the Office of the Prosecutor will undertake the most important series of trials that will be brought before the International Criminal Tribunal for Rwanda, namely the prosecution of the senior government figures and the highest ranking military personnel. The prosecution of these individuals will move the work of the Office of the Prosecutor to new levels.

40. The activity of the Office of the Prosecutor is about to enter a critical phase and the Prosecutor is resolved to raise the quality of the work of the Office across the board and to raise the general standards of prosecutions.

1. Activities

41. The activities of the Office of the Prosecutor during the biennium 2002-2003 will include the following:

(a) Substantive activities:

(i) Investigations:

a. Conducting a minimum of 30 and possibly up to 40 investigations per year;

b. Obtaining up to 55 indictments in the next two years;

c. Interviewing an estimated 1,800 witnesses within the next two years;

d. Obtaining an estimated 1,600 statements over the next two years;

e. Locating up to 55 targets;

f. Obtaining an estimated 20 arrests in the next two years;

g. An estimated 55 "red notices" regarding fugitives from the International Tribunal are to be published by Interpol through its worldwide channels of communication by the end of 2003.

(ii) Prosecutions:

a. Senior Trial Attorneys will provide the necessary legal direction to investigative teams at all stages of an investigation and will ensure that the investigative efforts are focused so as to meet the legal requirements of proof for indictments and trials;

b. Ongoing trials will be brought to a successful conclusion and cases in the pre-trial phase made fully trial-ready so that they can start as soon as the court timetable permits;

c. Prosecution evidence shall be efficiently organized, well presented and supported by sound legal arguments;

d. The major "Government" and "Military" cases are to be prosecuted, along with all other cases in which the accused have spent lengthy periods in pre-trial detention;

e. Producing evidence that can contradict accused persons where they have pleaded an alibi;

f. Supporting upcoming trials during the trial preparation phase by playing an active role in the survey of crime scenes and the analysis of documentary evidence obtained from searches following the arrest of accused persons.

(b) Other activities will include:

(i) Finalizing the implementation of the reward programme sponsored by the Government of the United States of America. This programme offers a reward of up to $5 million to anyone who gives information leading to the location and arrest of a person wanted by the International Criminal Tribunal for Rwanda;

(ii) Maintaining regular contact with Rwandan authorities, including the Minister of Justice, the Attorney General and the Military Auditor;

(iii) Establishing a direct telephone line within the Investigations Section through which all telephone contacts related to the reward programme will be channelled;

(iv) Developing contacts within Belgium and Kenya to explore the possibility of establishing field offices in Brussels and Nairobi;

(v) Providing appropriate responses to various requests coming from Member States and international organizations regarding the behaviour of certain Rwandese citizens.

2. Resource requirements (before recosting): $49,824,000

Posts

42. Resources in the amount of $39,466,200 represents the total cost of 210 continuing temporary posts and reflect a resource growth of $1,251,400 over the period 2000-2001, resulting from the net effect of the application of new standard costs, six new temporary local-level posts to support the increased missions in Rwanda requiring language assistants, the proposed reclassification of an Investigator's (P-4) post to the P-5 level and the redeployment of 3 P-4, 2 P-3, 1 P-2 and 5 General Service (Other level) posts in the Prosecution Division and the Evidence and Information Support Unit from Kigali to Arusha. The details and justifications for the new posts proposed are provided in annex IV of addendum 1 to the present report.

Table 8
Office of the Prosecutor
Summary of new, reclassified and redeployed posts by functional title

	Professional category and above						*General Service and related categories*			
	D-1	*P-5*	*P-4*	*P-3*	*P-2*	*Subtotal*	*OL*	*LL*	*Subtotal*	*Total*
Investigations Division										
Office of the Chief of Investigations										
Investigations teams										
Investigator[a]		1	(1)							
Language Assistants[b]								6	6	6
Prosecution Division										
Office of the Chief of Prosecution										
Kigali										
Legal Advisory Group										
Legal Adviser[c]			(2)			(2)				(2)
Arusha										
Legal Advisory Group										
Legal Adviser[c]			2			2				2
Evidence & Information Support Unit										
Kigali										
Chief[c]				(1)		(1)				(1)
Archivist[c]				(1)		(1)				(1)
Computer Information System Officer[c]				(1)		(1)				(1)
Associate Records Management Officer[c]					(1)	(1)				(1)
Data Entry Operator[c]							(2)			(2)
Information Network Assistant[c]							(2)			(2)
Data Processing Clerk[c]							(1)			(1)
Arusha										
Chief[c]			1			1				1
Archivist[c]				1		1				1
Computer Information System Officer[c]				1		1				1
Associate Records Management Officer[c]					1	1				1
Data Entry Operator[c]							2			2
Information Network Assistant[c]							2			2
Data Processing Clerk[c]							1			1
Total proposed new temporary posts		**1**	**(1)**	**-**	**-**	**-**	**-**	**6**	**6**	**6**

[a] Reclassified.
[b] New.
[c] Redeployed.

Consultants and experts

43. A provision of $525,800, reflecting a growth of $136,900 based on a projected increase in the call for experts and the need for additional forensic support, is requested for consultants and experts as follows:

(a) Expert witnesses are recognized experts in their field, who advise the Prosecution on issues related to their specialization and/or testify in court. Expert testimony is given on matters such as the general historical, political and military context of the conflict in Rwanda; psychological-medical issues; sociolinguistic use of Kinyarwanda language; and on forensic findings. The estimate, based on six trials per year during the biennium 2002-2003, provides for an average of three expert witnesses per trial in 2002 and two expert witnesses per trial in 2003; assuming that each witness remains at Arusha approximately seven days per trial, the related requirements would amount to $230,100 ($73,500 in fees at $350/day, plus travel and subsistence expenses of $156,600);

(b) The prosecution relies on consultants to analyse materials or undertake specific studies on trial related issues. Consultants will be required to undertake work related to sexual violence and mental harm, command responsibility in the armed forces, sociolinguistic analysis of media material and de jure and de facto responsibilities of government officials at both the national and prefectorial levels. Services of six short-term consultants will be required for a period of between 10 to 60 days at a fee of $200 a day ($64,000) plus travel and subsistence ($67,700);

(c) An additional provision of $100,000 is required for forensic analysis of evidence. Forensic testing can include the reconstruction of damaged documents, identification of material torn from documents, the reconstruction of computer hard drives, blood and DNA testing and the identification of remains. The typical cost of a forensic examination is $2,500. Allowance is made for an estimated 20 such processes per year out of an estimated evidence unit holding of 160,000 exhibits;

(d) Expert witnesses charge fees for reports that they may be asked to prepare and fees for actual days of testimony. The cost of reports is approximately $3,000 per report and the cost associated with testimony, on average, is $1,000. It is expected that 13 reports will be written during the biennium ($39,000) and that 25 witnesses will charge for actual days of testimony ($25,000).

Travel

44. A provision of $3,310,000, reflecting an increase in resources in the amount of $1,482,600 for the travel of staff in the Office of the Prosecutor, indicates the continuing emphasis on the gathering of evidence from an increasing number of suspects living far from the borders of Rwanda as well as witnesses living within Rwanda. Increased requirements are also attributed to the increased travel demands on the staff of the Office between Kigali to Arusha in support of ongoing trials. Further resources are needed to cover the travel of tracking units in pursuit of targets in other countries. These resources will be required for the following:

(a) Travel for investigations ($1,300,000). Investigators travel within Rwanda in pairs, with a Language Assistant, to interview witnesses and investigate crime scenes. They also travel outside Rwanda to neighbouring countries, to Europe, North America and the Middle East to interview witnesses and suspects, to gather information held by Governments and other organizations and to consult with law

enforcement agencies. An estimated 1,500 trips are projected. Experience has shown that 1,200 trips should be made within Rwanda and 300 trips to other countries. The number of trips within Rwanda has increased owing to the growing number of requests from trial teams to intensify investigations of accused persons already on trial in Arusha, to provide more amplified evidence to support the prosecution case and to provide trial support in the form of sketch maps required before the Court. The number of trips between Arusha and Kigali will also increase as investigators based in Kigali will work with the trial teams based in Arusha to review evidence that has been collected, identify and seize exhibits, identify and describe genocide sites, testify for the prosecution and the defence, interview detainees who have agreed to cooperate with the Office of the Prosecutor and accompany delicate witnesses such as victims of sexual violence;

(b) Travel of the Tracking Teams ($900,000). This involves the travel of teams comprised of up to four investigators working on the same mission in pursuit of investigation targets or indicted persons. Travel involves extended stays at destinations outside Rwanda, often for long periods to maintain surveillance of their targets. Tracking operations are usually completed when a Member State is asked, pursuant to a warrant of arrest and an appropriate court order, to arrest persons for the Tribunal. Following the arrest, the Registry takes over the arrangements for the transfer of the arrested persons to Arusha. The Intelligence and Tracking team is carrying out inquiries (through agents, sources and contacts) relating to 91 investigation targets of the International Tribunal. Of these, 34 are believed to be located in 10 countries throughout Africa, 25 in 7 countries in Europe and the balance in locations not yet determined. Extensive international travel is required to track down the various targets, positively identifying them and attending to the various operational requirements necessary to ensure their ultimate arrest. A Special Investigations Unit has been recently formed with its own independent system of sources and contacts, which also requires extensive international travel. The travel of both teams requires extended stays abroad, generally of at least a month's duration;

(c) Travel of the Prosecutor, the Deputy Prosecutor, the trial teams and Appeals Counsel and other staff of the Office of the Prosecutor is estimated at $1,110,000. The Prosecutor travels regularly to Arusha and Kigali to attend court hearings and plenary sessions. She must also attend meetings in New York to report to the Security Council and for discussions with the Secretary-General. She is regularly accompanied by staff members of her Office. The Deputy Prosecutor travels extensively on matters of investigations and arrests within Africa, consults with the Prosecutor in The Hague and travels to Arusha to attend to the management of the Office. The Chief of Prosecutions must travel to Kigali for consultations with the Chief of Investigations and the Legal Advisory Group, as well as to hold discussions with the Prosecutor in The Hague. The trial teams based in Arusha must travel to Kigali to consult on the form of indictments and other documents, to familiarize themselves with the sites of crimes, to consult with investigators, to ensure the collection and transfer of evidence and to proof witnesses for trial. The Legal Advisers in Kigali become experts on particular cases, provide advice on the development of cases and indictments and consult with the Senior Trial attorney on particular cases. The Evidence Unit is located in Arusha and travel is required to deliver material for forensic examination as the legal chain of custody requires hand delivery of these materials.

General operating expenses

45. A provision of $900,000 is made for the operational expenses of the Intelligence Tracking Unit. The Investigators from the Unit deal with agent/sources entailing special protective measures, including relocation to other countries, as well as information, communications and subsistence expenses. The increase in resources ($124,000) is attributable to the operational expenses of the Special Investigations Unit, the cost of renting of field offices in Africa and the increased workload in order to accomplish the projected targets for the biennium 2002-2003.

Staff assessment

46. Staff assessment costs and related income for the proposed staffing table of the Office of the Prosecutor is estimated at $5,622,000.

C. Registry

Table 9
Summary of requirements by object of expenditure
(Thousands of United States dollars)

(1) Regular budget

Object of expenditure	*1998-1999 expenditure*	*2000-2001 appropriation*	*Resource growth*		*Total before recosting*	*Recosting*	*2002-2003 estimate*
			Amount	*Percentage*			
Posts	50 046.1	77 125.1	7 507.7	9.7	84 632.8	(1 873.3)	82 759.5
Other staff costs	4 201.1	4 902.5	(283.1)	(5.7)	4 619.4	(539.4)	4 080.0
Consultants and experts	359.4	454.6	5.6	1.2	460.2	(53.7)	406.5
Travel of staff	1 457.4	1 186.7	1 053.3	88.7	2 240.0	122.6	2 362.6
Contractual services	8 578.8	13 729.3	6 806.1	49.5	20 535.4	(2 397.7)	18 137.7
General operating expenses	7 174.5	10 897.7	3 376.9	30.9	14 274.6	(1 666.8)	12 607.8
Hospitality	19.5	8.0	-	-	8.0	(0.9)	7.1
Supplies and materials	2 810.8	2 930.9	882.1	30.0	3 813.0	(445.1)	3 367.9
Furniture and equipment	5 844.5	5 305.6	621.9	11.7	5 927.5	(692.1)	5 235.4
Improvement of premises	856.3	1 981.4	(1 331.4)	(67.1)	650.0	(75.9)	574.1
Grants and contributions	192.5	356.0	748.2	210.1	1 104.2	(132.2)	972.0
Staff assessment	6 497.4	10 724.8	1 062.6	9.9	11 787.4	1 176.7	12 964.1
Total (gross)	**88 038.3**	**129 602.6**	**20 449.9**	**15.7**	**150 052.5**	**(6 577.8)**	**143 474.7**
Staff assessment	6 497.4	10 724.8	1 062.6	9.9	11 787.4	1 176.7	12 964.1
Total (net)	**81 540.9**	**118 877.8**	**19 387.3**	**16.3**	**138 265.1**	**(7 754.5)**	**130 510.6**

(2) Extrabudgetary

	1998-1999 expenditure	*2000-2001 estimate*	*2002-2003 estimate*
Expenditure			
Posts	292.5	-	-
Other staff costs	3.0	44.5	767.8
Consultants and experts	18.4	66.5	348.5
Travel	118.6	52.7	274.0
Contractual services	224.9	335.7	867.5
General operating expenses	2 100.2	-	-
Supplies and materials	-	-	42.1
Furniture and equipment	75.9	72.7	112.4
Other expenditures	14.0	20.0	313.6
Total (net)	**2 847.5**	**592.1**	**2 725.9**
Total (1) and (2) (net)	**84 388.4**	**119 469.9**	**133 236.5**

Table 10
Post requirements

	Temporary posts					
	Assessed budget		*Extrabudgetary*		*Total*	
Category	*2000-2001*	*2002-2003*	*2000-2001*	*2002-2003*	*2000-2001*	*2002-2003*
Professional category and above						
ASG	1	1	-	-	1	1
D-1	2	2	-	-	2	2
P-5	11	14	-	-	11	14
P-4/3	113	121	-	-	113	121
P-2/1	51	60	-	-	51	60
Subtotal	**178**	**198**	**-**	**-**	**178**	**198**
General Service						
Principal level	6	7	-	-	6	7
Other level	121	139	-	-	121	139
Subtotal	**127**	**146**	**-**	**-**	**127**	**146**
Other categories						
Security Service	82	87	-	-	82	87
Local level	251	302	-	-	251	302
Field Service	24	24	-	-	24	24
Subtotal	**357**	**413**	**-**	**-**	**357**	**413**
Total	**662**	**757**	**-**	**-**	**662**	**757**

47. Pursuant to article 16 of the statute of the Tribunal, the Registry is responsible, under the overall direction of the Registrar, for the administration and servicing of the Tribunal. The Registrar assists the Chambers, the plenary meetings of the Tribunal, the judges and the Office of the Prosecutor in the performance of their functions and has the responsibility for ensuring compliance with applicable United Nations rules and regulations in the operations of the Tribunal.

48. The Registry is organized into three main units, namely, the office of the Registrar, the Judicial and Legal Services Division and the Division of Administrative and Support Services.

49. The Office of the Registrar plays a key role in the formulation and implementation of policies and strategic plans in connection with the Registry operations and the servicing of the Tribunal as a whole. The Office supports the Registrar directly in carrying out his responsibility of providing executive direction to the Tribunal's administrative and management, legal and judicial support and external relations operations.

1. Activities

Substantive activities

50. The Office of the Registrar will focus on the following activities during the biennium 2002-2003:

(a) Providing policy guidance and executive direction for the implementation of the Registry's work plan;

(b) Implementing the outcome of the management review of the Tribunal undertaken by the Department of Management;

(c) Providing consistently effective judicial support services to the Chambers and the Office of the Prosecutor, undertaking continuous review of reforms already in place and carrying out regular consultative process with the judges and the Prosecutor in this context;

(d) Resolving, in cooperation with the Office of Legal Affairs at Headquarters, legal and practical problems with regard to the enforcement of sentences and supervising the practical enforcement of sentences in countries that have signed agreements with the United Nations for that purpose;

(e) Monitoring the implementation by relevant parts of the Registry of measures recently introduced by the Registrar to eliminate abuses of the legal aid system of the Tribunal;

(f) Sustaining and improving the level of cooperation and political and operational support for the Tribunal by external counterparts such as Governments and non-State entities;

(g) Formulating and implementing an aggressive strategy for mobilizing resources for the Trust Fund for the Tribunal for the execution of important projects that are key to the discharge of its mandate;

(h) Continuing systematic efforts to improve the image and visibility of the Tribunal through the effective dissemination of public information and accurate projection of its work at appropriate levels, as well as conducting of appropriate

programmes for visitors to the Tribunal, frequently high-level individuals and institutions.

51. The Judicial and Legal Services Division will:

(a) Provide direct judicial assistance to the Trial Chambers and the Appeals Chambers such as legal research, drafting and other judicial support to the judges; preparation of the judicial calendar, maintenance and scheduling of courtrooms; and the recording, maintenance and registration of records of judicial proceedings, transcripts, motions, orders, decision, judgements and sentences.

(b) Other court-related functions of the Division will include the provision and maintenance of the detention facilities; the development and maintenance of a list of defence counsel; the establishment and maintenance of a system to remunerate defence counsel; and assistance to prosecution and defence witnesses testifying before the Tribunal.

Administrative support

52. The Division of Administrative and Support Services will provide services for all activities of the Tribunal in the areas of human resource management; budget and finance; language and meeting services; general services; transport; information technology; security and safety; and procurement and building management. It will also continue to provide services from the Health Services Unit and support the services of the United Nations Detention Facility.

2. Resource requirements (before recosting): $150,052,500

Posts

53. The provision of resources in the amount of $84,632,800 will provide for the continuation of 662 temporary posts and reflects a resource growth of $7,507,700 over the 2000-2001 appropriations, representing the combined effects of the application of new standard costs and the provision for 20 new Professional posts supported by 75 new General Service and Other level posts. A number of these new General Service posts represent conversions of positions previously funded from general temporary assistance. The increase in posts for the Registry also reflects the need to strengthen the judicial, legal and administrative support, especially in the Chambers Support Section and Witnesses and Victims Support Section. These resources would provide effective support to the Chambers and Office of the Prosecutor in the light of the anticipated increase in the level of court activity and detainees projected for 2002-2003. Increased arrests and court activities will require additional support for witnesses and increase in the level of administrative support services. Accordingly, additional staff resources are requested to strengthen administrative support services in the areas of language and conference services, communications, including audio-visual service, electronic data-processing and information technology, personnel, finance, transport and general services. Details and justifications for the new posts proposed are provided in annex II to addendum 1 to the present report.

Table 11
Summary of new, reclassified and redeployed posts by functional title

	Professional category and above					*General Service and other categories*						
	D-1	*P-5*	*P-4*	*P-3*	*P-2/1*	*PL*	*OL*	*FS*	*SS*	*SS/LL*	*LL*	***Total***
Registry												-
Immediate Office of the Registrar												-
Chief, External Relations[a]		1										**1**
Bilingual Secretary[a]							1					**1**
Protocol Officer (Kigali)[c]				(1)								**(1)**
Protocol Officer (Arusha)[c]				1								**1**
Office of the Deputy Registrar												-
Investigator[a]			1									**1**
General Legal Services Section												-
Associate Administrative Officer[a]					1							**1**
Chambers Support Section												-
Senior Legal Adviser[a]		1										**1**
Judgement Coordinator[a]				1								**1**
Support to Appeals Chamber in The Hague												-
Legal Officer[a]				1								**1**
Associate Legal Officer[a]					2							**2**
Secretary[a]							1					**1**
Appeals Support (Arusha)												-
Associate Legal Officer[a]					1							**1**
Court Management Section												
Audio-Visual Desk												-
Audio-visual Archivist[a]							1					**1**
Documents Clerk[a]											5	**5**
Court Reporters Unit												-
Court Reporter[a]							6					**6**
Witness and Victims Support Section-Prosecution												-
Arusha												-
Associate Witness Support Officer[a]					1							**1**

	Professional category and above					*General Service and other categories*						
	D-1	*P-5*	*P-4*	*P-3*	*P-2/1*	*PL*	*OL*	*FS*	*SS*	*SS/LL*	*LL*	***Total***
Security Officer[a]									1			**1**
Security Officer[a]										1		**1**
Driver[a]											2	**2**
Cleaner[a]											4	**4**
Cook[a]											3	**3**
Kigali												-
Security Officer[a]									1			**1**
Witness Support Assistant[a]											1	**1**
Housekeeper[a]											1	**1**
Cook[a]											2	**2**
Driver[a]											1	**1**
Witness and Victims Support Section — Defence												-
Arusha												-
Chief of Section[b]		1	(1)									-
Witness Support Assistant[a]							2					**2**
Security Officer[a]									1			**1**
Security Assistant[a]											2	**2**
Driver[a]											2	**2**
Cook[a]											2	**2**
Cleaner[a]											3	**3**
Kigali												-
Security Officer[a]									2			**2**
Driver[a]											2	**2**
Lawyers and Detention Management Section												-
Administrative Assistant[a]											1	**1**
Library												-
Arusha												-
Chief[b]			1	(1)								-
Indexer/Cataloguer[a]					1							**1**
Kigali												-
Reference Librarian[a]					1							**1**

	Professional category and above					General Service and other categories						
	D-1	*P-5*	*P-4*	*P-3*	*P-2/1*	*PL*	*OL*	*FS*	*SS*	*SS/LL*	*LL*	***Total***
Division of Administration												-
Office of the Chief of Administration												-
Stress Manager[a]			1									1
Administrative Officer[a]			1									1
Clinic												-
Laboratory Technician[a]											1	1
Personnel Section												-
Personnel Administration Unit												-
Job Classification Assistant[a]											1	1
Training and Career development												-
Secretary/training Clerk[a]											2	2
Clinic (Kigali)												-
Nurse[a]											1	1
Finance Section												-
General Accounts Unit												-
Accounts Clerk[a]											1	1
Payment Unit												-
Finance Assistant[a]							2					2
Payroll Unit												-
Finance Assistant[a]							1					1
Cashier												-
Finance Clerk											1	1
General Service Section												-
Other General Service												-
Claims Assistant[a]							1					1
Transport												-
Storekeeper[a]											1	1
EDP/MIS (Kigali)												-
Associate Programme Officer[b]				1	(1)							-
Procurement (Arusha)												-
Associate Procurement Officer[b]					(1)	1						-

	Professional category and above					*General Service and other categories*						
	D-1	*P-5*	*P-4*	*P-3*	*P-2/1*	*PL*	*OL*	*FS*	*SS*	*SS/LL*	*LL*	***Total***
Office of the Deputy Chief of Administration (Kigali)												-
Procurement Unit												-
Associate Programme Officer[c]					(1)							**(1)**
Associate Programme Officer[c]					1							**1**
Security and Safety Services												-
Procurement Clerk (Kigali)[a]											1	**1**
Security Section												-
United Nations Detention Facility												-
Commanding Officer[b]			1	(1)								-
Escort/Custodian[a]											5	**5**
Cleaner[a]											3	**3**
Cook[a]											1	**1**
Security Officer[c]									1			**1**
Security Officer[c]										6		**6**
Security Officer[c]									(1)			**(1)**
Security Officer[c]										(6)		**(6)**
Language and Conference Services												-
Interpretation/Translation (Arusha)												-
Interpreter/Translator— Kinyarwanda[a]					4							**4**
Typing and Editing												-
Bilingual Secretary[a]							2					**2**
Reference Assistant[a]							1					**1**
The Hague												-
Reviser[a]			1									**1**
Translator/Interpreter[a]				2								**2**
Audio-visual Unit												-
Courtroom Clerk[a]											1	**1**
Total	**-**	**3**	**5**	**3**	**9**	**1**	**18**	**-**	**5**	**1**	**50**	**95**

[a] New.
[b] Reclassified.
[c] Redeployed.

Other staff costs

54. A provision in the amount of $4,619,400 is required to cover the following:

(a) General temporary assistance ($2,500,000). A decrease in resource levels by $500,000 is offset by a corresponding increase to cover conversion of positions funded for general temporary assistance which have been encumbered for some 18 months, to temporary established posts. This provision will cover additional language staff with skills in Kinyarwanda, freelance interpreters to assist during peak court periods, locally recruited staff for buildings management projects, transport personnel to cover unforeseen requirements and replacements to cover staff on extended sick or maternity leave;

(b) Overtime ($600,000) is requested to cover additional costs during peak workload periods;

(c) Contractual security services ($1,519,400). Under an agreement with the Government of the United Republic of Tanzania, the Tribunal is to provide a daily rate of $10 per person to cover the meals and incidentals of those Tanzanian Police Officers and Tanzanian Prison Officers engaged to supplement the Tribunal's regular security contingent. Services are required at the Arusha International Conference Centre, the United Nations Detention Facilities and the judges' residences. They also provide escorts for the transfer of prisoners between the Detention Facilities and Tribunal headquarters and additional protection at Witness Support safe houses. The requirement for this purpose is estimated at $1,095,000. Due to the large number of floors occupied by the Tribunal in the Arusha International Conference Centre, a local security company provides security services within the building at an estimated cost of $203,700. A provision of $220,700 is also made for the contract with a local security company in Kigali to supplement the staff strength of the security unit at Kigali for the provision of security service there.

Consultants and experts

55. An amount of $460,200, reflecting an increase of resources of $5,600, provides for the ongoing need for expert witnesses for the defence and for support to initiatives by the Tribunal to analyse and assess the impact of information technology in the Tribunal's operations to date as well as to determine its future requirements. These requirements are as follows:

(a) Two expert witnesses for the defence are called on average for each accused. It is anticipated that 21 accused will be on trial during the next two years and that 42 expert witnesses could be brought to Arusha. The expert witnesses are paid a consultancy fee ($189,000) based on an average rate of $4,500. Expert witnesses are also paid daily subsistence allowance and round trip travel ($201,200) in addition to the payment of fees. The estimated cost is based on stay in Arusha of each expert witness for a duration of eight days;

(b) Services of a consultant in Intranet design ($20,000) to fulfil the demand for timely delivery of useful information to the Tribunal staff has justified the need for expansion of the information processing environment. As workload increases owing to more trials and appeals, client access to online information and processes using the Intranet will absorb some of the rising workload. Despite the need for Intranet services, it was not possible to satisfy this due to a lack of experienced

EDP/MIS staff. A two-month consultancy is required to design and implement the Tribunal's Intranet;

(c) Services of a consultant ($25,000) are required for the implementation of electronic filing system for the Court Management Section. The system will automate the substantive operation of the Court Management Section. A three-month consultancy is required to facilitate the development and implementation of an electronic filing system;

(d) Services of a consultant to study the impact of technology on the Tribunal ($25,000). There is a considerably increased use of automated products and equipment within the Tribunal, but there has been no subsequent reduction in manpower or in paperwork as a result of this new technology. Therefore, a three-month consultancy is required to study the impact of this technology on the Tribunal, to coordinate requirements and to propose areas where reductions in staffing resources could occur.

Travel

56. Resources in the amount of $2,240,000, including an increase of $1,053,000 attributable to increased travel and allowances for witnesses and the travel of staff in support of witnesses and other necessary activities, are requested as follows:

(a) Provision for the travel of the Registry staff to Kigali, The Hague, New York, within Africa and to other countries for consultation with government officials, to arrange for transfer of detainees, to escort witnesses, to attend United Nations official meetings and to conduct other official business related to the Tribunal ($1,200,000). Provision is also made for the travel of the members of the Office of Internal Oversight Services in connection with the audit of the Tribunal at Arusha and Kigali during the biennium ($40,000);

(b) Travel and allowances of witnesses for both the prosecution ($500,000) and the defence ($400,000). It is anticipated that approximately 300 witnesses for the prosecution will be brought to Arusha in each of the next two years. Based on past trends, it is anticipated that, per year, 243 witnesses will come from Rwanda, 24 from Europe and America and 9 from other African countries. The cost for travel includes costs for travel documents, local travel, accommodation costs in Kigali and daily subsistence allowance. Witnesses stay for an average of 14 days in Arusha and 3 days in Kigali for the inward and outward trips. The Defence teams are expected to call 315 protected and non-protected witnesses over the two years, of whom 286 are expected to come from Europe, America and African countries other than Rwanda to give testimony during trial hearings in Arusha;

(c) Travel of staff for medical evacuation of detainees ($100,000). Periodically, detainees must be evacuated to receive special medical treatment. Provision is made for evacuations to Nairobi, Moshi in the United Republic of Tanzania and to South Africa. Detainees are accompanied by a medical officer and security officer and the average length of stay based on past experience is 14 days.

Contractual services

57. Included under this heading is the increased requirement for defence counsel, based on expenditure patterns and a projected increase in the number of detainees projected for the Tribunal in the next biennium. Resources in the amount of

$20,535,400 are required for the provision of contractual services consisting of the following:

(a) An external audit fee of $131,200, reflecting an increase of $36,200, is based on estimates provided by the United Nations Board of Auditors, which reflect the increasing activities and level of appropriations of the Tribunal;

(b) Translation for the Defence Counsel ($100,000). A provision is requested to allow translation of the documents of Defence Counsels, as allowed under article 12 bis of the Directive for the Registry. The objective of this amendment is to facilitate judicial work, in particular the work of Defence Counsels, by finding a way to tackle perennial problems of translation. Article 12 bis provides for the parties to obtain translation of documents they wish to file with the Court Management Services Section by resorting to external expertise. The reasonable costs of such translation will be reimbursed to the parties by the Tribunal, based on applicable United Nations rates;

(c) Medical consultants ($200,000). There is a requirement to provide medical consultants to the Tribunal staff and to detainees at the United Nations Detention Facility. For this reason, a number of specialists are retained on a part-time basis to provide such service. Consultants for the Detention Facility work, on average, three hours per day, and are available throughout the year;

(d) A provision of $40,000 is requested for the cleaning and laundry of security officers' and drivers' uniforms, mechanics' overalls and court gowns;

(e) Cost of Internet/online services ($80,000);

(f) Contractual Security Maintenance ($66,400). There is a requirement to provide contractual maintenance services for the CCTV systems, access control systems, X-ray machines and metal detectors used at the Tribunal for security screening;

(g) External printing ($156,600). There is a continuing requirement to print: public information documents by the Press and Public Affairs Unit, the Tribunal bibliography specialized in criminal international law and the general printing requirements of the Tribunal, including administrative forms, baggage tags for air operations, newsletters, basic documents of the Tribunal and binding of its judgements;

(h) A provision of $770,000 will provide for training programmes for Tribunal staff, including language training in English, French and Kiswahili for criminal investigators, advocacy training for trial lawyers, training for court reporters, simultaneous interpretation (Kinyarwanda), information technology, operation and maintenance of communication facilities, defensive driving for Tribunal drivers and specialized security and detention training for the staff;

(i) Defence Counsel ($18,991,200). The significant increase under this heading, amounting to $12,925,600, is attributed to the rise in the number of detainees in the pre-trial, trial, sentencing, appeals and new arrest phases, which is expected to increase from the current number of 46 to 86 in the next biennium. A counsel is assigned by the Registrar to any accused person unable to provide his/her own legal representation, in line with the requirements of indigence as defined in article 4 of the directive. It is anticipated that each team will be composed of a lead counsel, co-counsel, two investigators and an assistant. The estimates include fees

for defence counsels in respect of all the detainees, provision for co-counsels, investigators and assistants ($9,589,000); fixed fees of $2,000 paid to lead and co-counsels at the end of each stage procedure: pre-trail, trial, sentence, appeal and revision ($410,000); travel expenses and subsistence allowance for defence teams in connection with court proceedings, initial appearances, motions, status conferences and trials ($3,829,200); and travel expenses and subsistence allowance in respect of defence investigators and assistants ($5,163,000).

Hospitality

58. Resources in the amount of $8,000 will provide for the official hospitality and official functions in connection with the plenary sessions, high-level visitors to the Tribunal and other work of the Tribunal.

General operating expenses

59. Resource requirements of $14,274,600, reflecting an increase of $3,376,900 based on patterns of expenditure and revised rental agreements, including those for premises and for aircraft used by the Tribunal, are required to support the following:

(a) Resources in the amount of $4,567,000, reflecting an increase of $1,544,800, attributable to the increased rental of offices at the Arusha International Conference Centre, the rental of an additional safe house in Kigali, additional off-site storage facilities and office space in Dar es Salaam to facilitate the operations of the Tribunal, is requested to cover the rental of: (i) premises at the Arusha International Conference Centre, including space in the Kilimanjaro and Serengeti Wings, of approximately 11,000 square metres at $9.90 per square metre per month ($2,613,600); (ii) fuel station and vehicle workshop in Arusha ($48,000); (iii) three safe houses and the Detention Facility annex ($192,000); (iv) off-site location for store/archives ($43,200); (v) liaison office in Dar es Salaam ($12,000); (vi) offices at the Amahoro building in Kigali ($720,000); (vii) safe houses in Kigali ($76,800) and (viii) a communications repeater station ($45,600). A further provision of $815,800 is needed to cover the cost of general maintenance of the facilities at Arusha and Kigali, comprising three office buildings, 100 pre-fabricated offices, the three courtrooms, five safe houses, the detention facilities, auto-workshops and parking areas. This request also includes the provision of cleaning services and materials, disposal of waste, periodic water analysis, pest control services and maintenance of grounds;

(b) Resources amounting to $1,122,200 are requested for Arusha and Kigali for electricity ($836,200), water ($73,600) and diesel fuel for the generators at the Arusha International Conference Centre, the United Nations Detention Facilities and the Kigali offices ($212,400);

(c) Rental/operation of Beechcraft B200 fixed wing aircraft ($1,752,000). This provision includes an annual base cost that guarantees an increase in minimum flight hours (a minimum of 600 hours of flight time ($1,212,000)), additional 180 flight hours per year ($90,000), cost of crew maintenance charges ($64,320), local transportation at the main operating base ($16,080) and additional risk insurance ($22,400). A new rental agreement stipulates that the Tribunal must pay for the fuel of the aircraft ($171,600) and storage ($15,600). The rental of a Beechcraft is an essential transportation requirement for fulfilling the Tribunal's operations. The need for this aircraft has been recognized from inception of the Tribunal's

operations as providing the only means of facilitating the travel of trial teams, investigators, pouches and equipment between Arusha (United Republic of Tanzania) and Kigali (Rwanda) and for transporting suspected people responsible for the genocide from neighbouring and other African countries, where they are tracked and apprehended, to Arusha. The Beechcraft is also used to ferry witnesses and protected witnesses between Kigali and Arusha. Provision ($160,000) is also included for rental of an aircraft to transfer detainees to the United Nations Detention Facility following arrests of suspects/indictees. The costs reflect the requirement of leasing one aircraft for approximately six days. Depending on availability, consideration will be given to utilizing the Beechcraft;

(d) A provision of $2,821,900, reflecting a decrease ($302,800) based on expenditure trends, is required for commercial communications activities. An effective and safe communications infrastructure is essential for the Tribunal: pouch services; an enhanced communications service, including Internet; enhanced telephone/fax services to distribute incoming documents on urgent and confidential matters more quickly and safely; and for connecting off-site locations to the central system. The estimates below are based on expenditure patterns and on anticipated requirements for the Tribunal in the next biennium;

(i) Pouch and courier services in the amount of $230,000, based on expenditure patterns;

(ii) International mail ($80,000), including an increase based on expenditure patterns;

(iii) Rental of space segment on Intelsat ($1,623,900);

(iv) Official facsimile and telephone calls, including telephone installations, cellular telephones and local messaging ($528,000);

(v) Long distance telephone charges ($360,000);

(e) Miscellaneous services are estimated at $3,193,800, as follows:

(i) A provision in the amount of $640,000 is requested to meet the requirements for the protection and support of witnesses. This includes witness re-location costs, accompanying support person costs, upkeep and child care costs, medical costs, clothing for witnesses, security guards and farm help costs, compensation for lost wages and cost of meals. For the prosecution, costs may apply to some or all of the 276 witnesses per year for a total estimate of $350,000. The same costs may apply to the average 157 witnesses per year for the defence witnesses ($250,000). Included in this request are supplies, including linen, blankets, cooking and cleaning equipment, for the safe houses ($40,000);

(ii) Resources in the amount of $773,500 will meet costs relating to the enforcement of sentences. The Tribunal has signed an agreement with the Governments of Mali and Benin to provide prison facilities in the respective countries where convicts could serve their sentences. Negotiations are ongoing with at least four other countries for the biennium 2002-2003. Provision is made in this request for the expected maintenance cost estimated at $20 per day per convict for a maximum of 23 convicted persons ($276,000). Many of the convicts have serious medical problems and it is estimated that these costs will average $1,000 per convict per month for a maximum of 13 convicts

($260,000). A number of convicts will be called to Arusha to testify against other detainees and to cooperate with the prosecution, for which a provision is made for an estimated amount of $134,000. United Nations inspection costs to visit the convicts are also requested ($103,500);

(iii) A provision of $300,000 is required for the annual licensing fees for the Sun Accounting Software and TRIM;

(iv) An amount of $50,000 is requested for rental of a forklift and cost of advertisements for vacancy announcements, notification of procurement bids, notice of sales, etc.;

(v) $200,000 is required for third party liability auto insurance for 175 vehicles to be operated by the Tribunal, including additional auto insurance coverage to facilitate movement of investigators, transportation of witnesses and other personnel of the Tribunal between neighbouring countries, and for contractual services in connection with serious vehicle repairs owing to road accidents or other unforeseen events;

(vi) Resources in the amount of $548,400 for vehicle spare parts, repairs and maintenance are requested to provide for the acquisition of spare parts for the periodic maintenance and repairs to the entire fleet of 175 vehicles. The majority of vehicles have accumulated high mileage and are in poor mechanical condition;

(vii) A provision of $358,300 for the maintenance of furniture and equipment will cover the maintenance of the various equipment in use by the Tribunal. The large number of photocopiers, generators and air conditioners require constant maintenance in order to function;

(viii) Provision of $323,600 is made for the supply of rations to detainees at the United Nations Detention Facility. The estimates are based on an average of 70 detainees and a daily cost of $6.06 for 2002 and $6.60 for 2003;

(f) An amount of $817,700 is requested to provide for bank charges for the maintenance of the Tribunal's bank accounts ($397,800), general insurance costs ($66,300) and the extra freight charges for imported equipment and the services of a freight forwarder to effect clearance, international freight movement and storage and ramp operation, in particular for cargo delivered by sea to Dar es Salaam or Mombassa ($353,600).

Supplies and materials

60. Resources in the amount of $3,813,000 will provide for stationery and office supplies ($200,000); electronic data-processing supplies ($240,000); security and safety supplies, including uniforms ($240,000); audio/video supplies, film and film processing ($350,000); supplies for preservation of evidence such as acid-free files, archive boxes, numbering machines and other archival supplies ($30,000); periodicals and library books ($240,000); contractual library services to include Lexis-Nexis, Reuters, Lawtel, Proquest ($130,000); supplies for the Detention Facility, including toiletries, linen, clothing, sanitation materials, laundry ($200,000); subscriptions ($20,000); medical supplies for the Tribunal ($15,000) medical supplies for the Detention Facility ($220,000); petrol, oils and lubricants for

motor vehicles ($1,118,000); communications spare parts ($350,000); uniforms for drivers ($10,000); photocopy paper ($200,000) and other office supplies ($250,000).

61. The increase in requirements of $882,100 is attributable mainly to the need for supplies in support of an increase in the level of staff at the Tribunal, an increase in the number of proceedings requiring additional support in the form of photocopy paper and toner, the need for replacement parts and maintenance of equipment in areas such as communication, an increase in the cost of petrol, oil and lubricants and an anticipated increase in the number of detainees at the Detention Facility that are expected to increase during the biennium 2002-2003.

Furniture and equipment

62. Resources in the amount of $5,927,500, reflecting an increase in requirements of $621,900, relate primarily to the acquisition of furniture for additional staff, data processing and office automation equipment. Increases in requirements are due to the need to provide resources for additional staff. Included in this provision is the amount of $500,000 for the development of a teleconferencing facility between the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia. The estimated requirements will provide for the following:

(a) Office furniture and equipment ($584,400). The provisions relate to office furniture for the additional personnel at both Arusha and Kigali ($205,000); and office equipment such as photocopiers, shredders, dictaphones and other office items ($379,400);

(b) Acquisition of new office automation equipment ($1,808,400). This requirement includes office automation equipment such as computers, printers, laptops and servers ($1,304,600); acquisition of software packages/licenses ($331,700); acquisition of workshop equipment ($44,700) and network upgrade projects ($127,400);

(c) Acquisition of communications equipment ($1,025,400). This requirement includes the acquisition of network equipment ($690,300), portable and mobile systems ($131,100) and telephone, fax, telex and rural links ($204,000). The Tribunal will make a concerted effort in the forthcoming budget period to have the teleconferencing link with the International Tribunal for the Former Yugoslavia fully operational. It is anticipated that the completion of this important link will greatly assist the various arms of the Tribunal in their work;

(d) Acquisition of audio-visual equipment ($621,200). Much of the audio-visual equipment in the Tribunal is now over 4 years old. Due to the constant usage, a replacement of this equipment is required;

(e) Acquisition of transport equipment ($1,096,500). The Tribunal will replace 45 vehicles in its fleet during the next two years due to accidents, age, mileage and general operating conditions ($1,071,200). In addition, some workshop equipment will be replaced in both Arusha and Kigali ($25,300);

(f) Other equipment ($791,600):

(i) Other equipment ($402,800). Provisions relate to air conditioners, stenography machines, televisions, refrigerators, kitchen ovens, gymnasium equipment for the United Nations Detention Facility, water dispensers, tools, etc.;

(ii) Medical clinic equipment ($50,000). This provision relates to the purchase of laboratory equipment for the clinic;

(iii) Security and safety equipment ($338,800). Provisions relate to weapons, identification equipment, ammunitions, surveillance equipment, alarm system, safety locks, etc.

Construction, alteration, improvements and major maintenance

63. A total provision of $650,000 covers the following:

(a) Improvements to premises Arusha and Kigali ($450,000). Provisions include storage for court records, remodelling of additional space for staff, rehabilitation of washroom facilities and upgrading of electrical systems, etc.;

(b) Provision ($200,000) is also made for construction work at the United Nations Detention Facility, including the improvement of sanitation system, upgrading of existing facilities and improvements to the lawyers' meeting rooms.

Grants and contributions

64. Resources in the amount of $1,104,200 will cover the contribution of the Tribunal to the operations of the United Nations Medical Clinic at Kigali ($192,000) and the coordination of United Nations security measures ($912,200). The increase in security contributions reflects the efforts of the United Nations to ensure the safety of its personnel and operations worldwide at levels commensurate with the number of personnel and the duty stations at which they are based.

Staff assessment

65. Staff assessment costs and related income are estimated at $11,787,400.

III. Conclusion

66. **On the basis of the proposals detailed in the preceding paragraphs, it is estimated that resources in the amount of $179,015,300 net, after recosting, will be required for the operation of the International Criminal Tribunal for Rwanda for the period from 1 January 2002 to 31 December 2003. An additional amount of $19,516,500 will be required for staff assessment, to be offset by income from staff assessment of the same amount.**

67. **In its resolution 55/226, the General Assembly took into account an estimated unencumbered balance from the appropriation for 2000 of $4,237,100 gross ($3,851,900 net) and appropriated the resource requirements for 2001. The actual unencumbered balance realized for 2000 was $3,010,100 gross ($2,352,900 net). Member States may also wish to take into account the amount of $2,160,000 available as interest and other income realized during the biennium 2000-2001. The detailed calculations for financing the Tribunal in 2002-2003 are shown in annex IX of addendum 1 to the present report.**

68. **In its resolution 55/226, the General Assembly decided to assess 50 per cent of the total amount of the resource requirements of the Tribunal for 2001 at the rates applicable to the regular budget and the balance at the assessment rates applicable for financing peacekeeping operations. The assessable amount**

for the biennium 2002-2003 would be assessed on an annual basis, and apportioned between the scale of assessments applicable to the regular budget for 2002-2003 and the scale of assessments applicable to peacekeeping operations for 2002-2003 as follows:

(a) The assessable amount of $49,397,700 gross ($44,588,575 net) would be apportioned among Member States in accordance with the scale of assessments applicable to the regular budget of the United Nations for 2002;

(b) The amount of $49,397,700 gross ($44,588,575 net) to be apportioned among Member States in accordance with the scale of assessments applicable to peacekeeping operations for 2002.

69. **The vacancy rates utilized in calculating the resource requirements for the biennium are shown in annex I of addendum 1 to the present report. Should the efforts being made by the Tribunal result in a higher rate of post encumbrance, the General Assembly would be informed accordingly.**